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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,908	11/30/2000	Yueh-shian T. Chi	5199/Consilium/MBE	9774

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12/09/2005

Patent Counsel, MS/2061
Legal Affairs Department
Applied Materials, Inc.
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EXAMINER

WILLETT, STEPHAN F

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Office Action Summary

Application No.

09/725,908

Applicant(s)

CHI ET AL.

Examiner

Stephan F. Willett

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 67 and 69-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 67 and 69-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>12/1/05</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC 103

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 67, 71-82 is rejected under 35 U.S.C. 103(a) as being unpatentable over the MS Message Queue (MSMQ) Server by Microsoft in view of Todd et al. with Patent Number 6,643,682.

4. Regarding claim(s) 67, MSMQ teaches forwarding data based on the data's content. MSMQ teaches a publisher to create a message having subject information and content information, page 21, line 6. MSMQ teaches a server configured to forward the message based on the subject information, page 21, line 15. MSMQ teaches the publisher client is configured to

Art Unit: 2142

operate with one or more of the assembly line devices, page 19, line 24-28. MSMQ teaches the invention in the above claim(s) except for explicitly teaching generating subject information as the message is being created by a publisher. In that MSMQ operates to forward data, the artisan would have looked to the data routing arts for details of implementing data routing specifics. In that art, Todd, a related network adapter, teaches “a name of a distribution stream for each published message”, col. 2, line 23 in order to provide appropriate titles. Todd specifically teaches “messages having a name”, col. 2, line 25 which can be created before, during or after message creation. Further, Todd suggests “content based publish/subscribe which involves matching publishers and subscribers by the content of the messages”, col. 2, lines 29-30 which will result from implementing word content names. The motivation to incorporate subject information insures that data is properly catalogued and transmitted. Thus, it would have been obvious to one of ordinary skill in the art to incorporate subject information as taught in Todd into the data forwarding system described in MSMQ because MSMQ operates based on subject content and Todd suggests that optimization can be obtained by generating subject information. Therefore, by the above rational, the above claim(s) are rejected.

5. Regarding claim(s) 71, MSMQ teaches a controller computer as “regional servers”, pg. 21 , line 24.

6. Regarding claim(s) 72, 76, MSMQ teaches a command or “responsive” based on a message or request and registration or request as “subscribed to receive”, pg. 21, lines 26.

7. Regarding claim(s) 73, MSMQ teaches guaranteeing or providing delivery of messages, pg. 22, lines 6-7.

8. Regarding claim(s) 74-75, 80-82, Todd teaches appending a changeable subject

Art Unit: 2142

information as variables as “other streams”, col. 2, lines 27.

9. Regarding claim(s) 77-78, MSMQ teaches desires stored in memory as “retrieve from the main server”, pg. 21, lines 23-24.

10. Regarding claim(s) 79, MSMQ teaches viewing data’s many subject elements and their parts or portions, pg. 23, lines 3-11.

11. Claims 69-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over the MS Message Queue (MSMQ) Server by Microsoft in view of Todd et al. with Patent Number 6,643,682 and Tatsumi with Patent Number 5,200,028.

12. Regarding claim(s) 69-70, MSMQ teaches a publisher to create a message having subject information and content information, page 21, line 6. MSMQ teaches a server configured to forward the message based on the subject information, page 21, line 15. MSMQ teaches the publisher client is configured to operate with one or more of the assembly line devices, page 19, line 24-28. MSMQ and Todd teaches the invention in the above claim(s) except for explicitly teaching the application to semiconductor manufacturing in an assembly line performing etching and depositing. In that MSMQ and Todd operates to forward data, the artisan would have looked to the manufacture arts for details of implementing data routing specifics. In that art, Tatsumi, a related network manufacturer, teaches “performance evaluation”, col. 5, line 37 in order to provide assembly. Tatsumi specifically teaches “manufacture of semiconductors”, col. 1, lines 11-12. Tatsumi teaches an etcher to layer substrate, col. 1, line 10. Tatsumi teaches a depositor to layer substrate, col. 1, line 8. The motivation to incorporate etching and depositing into industrial manufacturing described in MSMQ insures that data can be used in the specifics of semiconductor manufacturing. Thus, it would have been obvious to one of ordinary skill in the

Art Unit: 2142

art to incorporate semiconductor manufacturing techniques as taught in Tatsumi into the data forwarding system described in the MSMQ and Todd references because MSMQ and Todd operates based on subject content in industry manufacturing and Tatsumi suggests that optimization can be obtained in semiconductor manufacturing.

Response to Amendment

1. The broad claim language used is interpreted on its face and based on this interpretation the claims have been rejected.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited. A close review of the references is suggested. The other references cited teach numerous other ways to forward messages and create titles, thus a close review of them is suggested.

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP, 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

2. A shortened statutory period for reply to this final action is set to expire ~~THREE~~ ^{TWO} MONTHS from the mailing date of this action. In the event a first reply is filed within ~~TWO~~ ^{ONE} MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the ~~THREE~~ ^{TWO}-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2142

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (571)272-3890. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

5. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

sfw

December 6, 2005



**ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER**